

## **IC 12-24-17**

### **Chapter 17. Offenses**

#### **IC 12-24-17-1**

##### **"Administrator" defined**

Sec. 1. (a) As used in this chapter, "administrator" means a person who is the administrative head of a hospital, a sanitarium, an institution, an agency, or an instrumentality:

- (1) maintained or provided by the United States or an agency or instrumentality of the United States; and
- (2) where mental illnesses or developmental disabilities are treated.

(b) The term, for purposes of this chapter and a court order, includes successors in office.

*As added by P.L.2-1992, SEC.18. Amended by P.L.6-1995, SEC.19.*

#### **IC 12-24-17-2**

##### **"Patient" defined**

Sec. 2. As used in this chapter, "patient" means an individual who:

- (1) is mentally ill or appears to be mentally ill;
- (2) is in or under the supervision and control of a state institution; or
- (3) because of mental illness, is under the supervision and control of a circuit or superior court of Indiana.

*As added by P.L.2-1992, SEC.18.*

#### **IC 12-24-17-3**

##### **Neglect, abuse, or maltreatment of mentally ill or developmentally disabled person under care of state institution**

Sec. 3. A person who:

- (1) neglects, when the person has a duty of care;
- (2) abuses; or
- (3) maltreats;

a mentally ill individual or an individual with a developmental disability under the care of a state institution commits a Class B misdemeanor.

*As added by P.L.2-1992, SEC.18. Amended by P.L.6-1995, SEC.20.*

#### **IC 12-24-17-4**

##### **Knowledge of alleged violation of IC 12-24-17-3; failure to make written report to superintendent**

Sec. 4. A person who:

- (1) knows of an alleged violation of section 3 of this chapter; and
- (2) fails to make a written report to the superintendent within twenty-four (24) hours of the alleged violation;

commits a Class A infraction.

*As added by P.L.2-1992, SEC.18.*

#### **IC 12-24-17-5**

**Receipt by superintendent of written report of alleged violation of IC 12-24-17-3; investigation; reporting requirements**

Sec. 5. (a) A superintendent who receives a written report of an alleged violation of section 3 of this chapter shall begin an investigation within twenty-four (24) hours after receipt of the written report.

(b) In accordance with IC 31-33, the superintendent shall report the alleged violation of section 3 of this chapter to either of the following:

(1) The local child protection service established within the county office if the alleged victim is less than eighteen (18) years of age.

(2) The adult protective services unit designated under IC 12-10-3 if the alleged victim is at least eighteen (18) years of age.

*As added by P.L.2-1992, SEC.18. Amended by P.L.4-1993, SEC.202; P.L.5-1993, SEC.215; P.L.1-1997, SEC.85.*

**IC 12-24-17-6**

**Unauthorized dealing or contracting by state institution employee with or for a patient concerning money or property**

Sec. 6. An employee of a state institution who does any of the following commits a Class B misdemeanor:

(1) Knowingly deals with, contracts with, purchases from, or purchases for a patient in the state institution any property without the permission of the superintendent.

(2) Lends to or borrows from a patient money or other property.

*As added by P.L.2-1992, SEC.18.*

**IC 12-24-17-7**

**Enticing or taking a patient away or aiding a patient to escape from the custody of an administrator or a superintendent**

Sec. 7. A person who:

(1) recklessly entices or takes a patient away; or

(2) aids, induces, or causes a patient to escape;

from an administrator or a superintendent who has been granted custody of the patient commits a Class B misdemeanor.

*As added by P.L.2-1992, SEC.18.*

**IC 12-24-17-8**

**Releasing information concerning a patient's medical records or treatment without written consent of patient, parent, or guardian**

Sec. 8. A person who knowingly or intentionally releases information concerning a patient's medical records or treatment under IC 12-24-11 or IC 16-39-2 without the knowing, written consent of the patient or the patient's parent or guardian commits a Class B infraction.

*As added by P.L.2-1992, SEC.18. Amended by P.L.40-1994, SEC.53.*